

Remarks:

Applicants submit this Amendment after RCE in connection with the previously filed RCE. The RCE and this Amendment are in reply to the Advisory Action dated April 21, 2010 and the Final Office Action dated November 24, 2009. Support for the amendments may be found in the originally-filed specification. No new matter has been introduced by these amendments. Upon receipt of the Final Office Action, Claims 1, 3-5, and 15 were pending, and the Examiner rejects claims 1, 3-5, and 15. Reconsideration of this application is respectfully requested.

Rejection under 35 U.S.C. § 103(a)

In the Final Office Action and the Advisory Action, the Examiner rejects claims 1, 3-5, and 15 as being unpatentable over Von Kohorn, US Patent No. 5,034,807, (“Von Kohorn”) in view of Roseman, US Patent No. 6,608,636 (“Roseman”). Applicants respectfully disagree with this rejection, but Applicants amend certain claims, in order to clarify the patentable aspects of certain claims and to expedite prosecution.

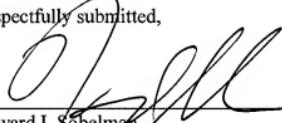
Von Kohorn generally teaches a system and method for evaluating responses to broadcast programs, such as television programs (abstract). Specifically, Von Kohorn teaches “The circuitry shown therein accomplishes the major functions of the response unit 22, namely, providing a member of the audience 94 with a means for entering a response to a situation viewed on the television screen 20 and/or heard via the speaker 86, not accepting (rejecting) or accepting, evaluating and scoring such response, recording such response, and outputting a temporary or permanent record of the response. In particular, it can be advantageous if the permanent record is in the form of the card 48, which form is machine readable to facilitate a reading of the score and/or response by either a third party or the host 50.” (Col. 15, lines 6-18). The Examiner purports to equate “the reading of a score and/or response with a proposed solution” (Advisory Action, continuation of 11.). A reading of a score, response, and/or solution is not analogous to a strategy. Von Kohorn alone or in combination with the other cited references is silent to, and thus does not disclose or contemplate at least “a proposed strategy, wherein the proposed strategy is based on (both) the marketing information and the additional marketing information, wherein the strategy comprises a method to complete a goal.” as recited by independent claim 1 (emphasis added), and similarly recited by claims 30 and 31.

For at least these reasons and the reasons advanced in the reply of April 7, 2010, Applicant submits that independent claims 1, 30, and 31 are allowable over the cited references. Dependent claims 3-5, and 16-29 depend from independent claim 1, so dependent claims 3-5, and 16-29 are

patentable for at least the reasons set forth above for differentiating independent claim 1, in addition to their own unique features.

When a phrase similar to "at least one of A, B, or C" or "at least one of A, B, and C" is used in the claims or specification, Applicants intend the phrase to mean any of the following: (1) at least one of A; (2) at least one of B; (3) at least one of C; (4) at least one of A and at least one of B; (5) at least one of B and at least one of C; (6) at least one of A and at least one of C; or (7) at least one of A, at least one of B, and at least one of C.

Applicants respectfully submit that the pending claims are in condition for allowance. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **19-2814**. Applicants invite the Examiner to telephone the undersigned, if the Examiner has any questions regarding this Reply or the present application in general.

Respectfully submitted,

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